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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,782	06/19/2003	Motokazu Okawa	50585/DBP/K277	5962

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EXAMINER

VUONG, QUOCHIE B

ART UNIT PAPER NUMBER

2618

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/600,782

Applicant(s)

OKAWA, MOTOKAZU

Examiner

Quochien B. Vuong

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/09/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

This action in response to Applicant's response filed on 01/23/2006. Claims 1-10 are now pending in the present application.

### ***Information Disclosure Statement***

1. The document website gator.com (claria.com) in the information disclosure statement (IDS) submitted on 03/09/2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the document is being considered by the examiner.

### ***Claim Objections***

2. Claims 7-9 are objected to because of the following informalities: in claim 7, last line, the phrase "downloading advertising information from the website to store the advertising information **is** the memory" has a typographical error and should be "downloading advertising information from the website to store the advertising information **in** the memory".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-10 are rejected under 35 U.S.C. 102(a) as being anticipated by Okawa, Genichi (JP 02002182828A – English translation) (hereinafter Okawa).

Regarding claims 1 and 6, Okawa (figures 1A-1B) discloses a cellular phone and an advertising method, comprising: a housing (100); a keyboard (3) disposed on a first side of said housing; a first display device (4) disposed on said first side; a second display device (6) disposed on a second side of said housing, said second side being opposite to said first side; a memory storing advertising information; a receiver-transmitter; and a controller computer programmed to receive said advertising information through said receiver-transmitter, to control said first display device in response to instructions received through said keyboard, and to control said first display device to display said advertising information on a screen of said first display device during a phone call established through said receiver-transmitter in response to operation of said keyboard by a user (see abstract and paragraphs [0010], [0011], [0014], and [0020]).

Regarding claims 2 and 3, Okawa discloses wherein said second display device is detachably connected to said housing; and wherein the housing has a notch for accommodating the second display device therein such that said screen of said second display device is aligned to a rear surface of said housing (paragraphs [0043] – [0045]).

Regarding claim 4, Okawa discloses wherein said keyboard includes: a key top displaying a plurality of symbols respectively written with fluorescent materials having different dominant wavelengths, and a plurality of light emitting units emitting lights of

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different wavelengths, wherein said keyboard receives mode instructions to place said cellular phone into an and operation mode, wherein said controller computer drives said plurality of light emitting units in response to said operation mode into which said cellular phone is placed (paragraph [0012]).

Regarding claim 5, Okawa discloses a power supply circuit providing electric power for said controller computer; a power terminal electrically connected to said power supply circuit; a battery case; and a strap including first and second cables connected between said power terminal and said battery case to allow a battery in said battery case to supply power for said power supply circuit through said power terminal, wherein said first and second cables form a loop to provide a grip (paragraph [0013]).

Regarding claim 7, Okawa discloses the advertising information source include a website server providing a website and wherein the receiving includes: establishing a connection between the cellular phone and the website through a network; and downloading the advertising information from the webside to store the advertising information in the memory (paragraphs [0019] and [0020]).

Regarding claims 8 and 9, Okawa discloses wherein the advertising information is selected in response to the position or current time (paragraph [0016]).

Regarding claim 10, Okawa discloses wherein the advertising information include at least one of trademark, a business name, and a catch phrase (paragraph [0017]).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quochien B. Vuong whose telephone number is (571) 272-7902. The examiner can normally be reached on M-F 9:30-18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**QUOCHIE B. VUONG  
PRIMARY EXAMINER**

Quochien B. Vuong  
Mar. 30, 2006.